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27 *Bard Peripheral Vascular, Inc*

28 UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

IN RE: Bard IVC Filters Products Liability
Litigation,

No. 2:15-MD-02641-DGC

**THE PARTIES' JOINT REPORT IN
RESPONSE TO THE COURT'S JULY
16, 2020 ORDER**

1 In an order dated July 17, 2020 (Doc. 21540), the Court directed the parties to submit a
 2 joint report identifying the Track 2 cases that are subject to settlement and the date by which
 3 settlements must be completed under those agreements. The order also directed the parties to
 4 identify those Track 2 cases ready for remand or transfer. The Plaintiffs' Co-Lead Counsel and
 5 counsel for the defendants, C. R. Bard, Inc. and Bard Peripheral Vascular, Inc. ("Bard"), are
 6 submitting this report in response to the Court's instructions.

7 Attached as Exhibit "A" is a list of Track 2 cases that are subject to settlement
 8 agreements, and the dates by which those settlements must be completed.

9 Attached as Exhibit "B" is a list of the remaining cases that are now ripe for transfer. The
 10 lists include all of the information about those cases set forth in the July 1, order. All of these
 11 actions were directly filed in this MDL, and hence, none of the cases need to be remanded to the
 12 Judicial Panel on Multidistrict Litigation ("JPML").

13 The Defendants wish to note that there are remaining issues regarding the first nine (9)
 14 cases on the list. The following cases are duplicate filings by plaintiffs who have already settled
 15 and dismissed their other cases:

16 **Sonya Legg v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc.**, United States
 17 District Court, District of Arizona, Phoenix Division, CV-19-01507-PHX-DGC

18 **Robert Brown v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc.**, United States
 19 District Court, District of Arizona, Phoenix Division, CV-19-01002-PHX-DGC

20 **Glenda L. Smith v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc.**, United
 21 States District Court, District of Arizona, Phoenix Division, CV-19-03474-PHX-DGC

22 **Michael VanHolt v. C. R. Bard, Inc., and Bard Peripheral Vascular, Inc.**, USDC,
 23 District of Arizona, Phoenix Division, CV-19-03925-PHX-DGC

24 **Robert W. Dostie v. C. R. Bard, Inc., and Bard Peripheral Vascular, Inc.**, United
 25 States District Court, District of Arizona, Phoenix Division, CV-17-01406-PHX-DGC

26 **Bernardette McBride v. C. R. Bard, Inc., and Bard Peripheral Vascular, Inc.**, United
 27 States District Court, District of Arizona, Phoenix Division, CV-19-02819-PHX-DGC
 28

1 **Judith Clouser v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc.**, United States
2 District Court, District of Arizona, Phoenix Division, CV-19-01199-PHX-DGC

3 **David Hildebrandt v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc.**, United
4 States District Court, District of Arizona, Phoenix Division, CV-19-03690-PHX-DGC

5 In the following cases, the Plaintiffs have not submitted a Plaintiff's Profile Form:

6 **Ricky Schrader v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc.**, United States
7 District Court, District of Arizona, Phoenix Division, CV-19-02132-PHX-DGC

8 **Daniel Person v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc.**, United States
9 District Court, District of Arizona, Phoenix Division, CV-19-03189-PHX-DGC

10 **Elizabeth Mello v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc.**, United States
11 District Court, District of Arizona, Phoenix Division, CV-19-00104-PHX-DGC

12 In the following case, the Plaintiff has neither served the complaint on the Defendants or
13 submitted a Profile Form:

14 **Leona Nigh v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc.**, United States
15 District Court, District of Arizona, Phoenix Division, CV-19-04059-PHX-DGC

16 In the following case, the Plaintiff has never served the complaint on the Defendants:

17 **Margie Cornelius, as Personal Representative of the Estate of Louise Tapper v. C. R.**
18 **Bard, Inc. and Bard Peripheral Vascular, Inc.**, United States District Court, District of
19 Arizona, Phoenix Division, CV-19-02716-PHX-DGC

20 In the following case, the plaintiff is a citizen of Arizona and Bard Peripheral Vascular,
21 Inc. (an Arizona corporation) is a named defendant, such that diversity jurisdiction does not exist.

22 **LaToya D. Pierce v. C. R. Bard, Inc. and Bard Peripheral Vascular, Inc.**, United
23 States District Court, District of Arizona, Phoenix Division, CV-17-01728-PHX-DGC

24 The parties also note that the Easton case on Exhibit "B" is designated to remain in the
25 District of Arizona. However, diversity of citizenship exists in that case, as the Plaintiff is a
26 citizen of Idaho who had a filter implanted in Arizona.

1 The parties are separately filing the joint proposed report for the districts receiving
2 transfers, and the stipulated designation of record to be sent with transferred cases. The parties
3 will also provide the Clerk of Court with a ZIP file containing the documents identified in the
4 designation of record, and Word-formatted versions of the documents requested by the Court.

5 DATED this 6th day of August, 2020.

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7
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